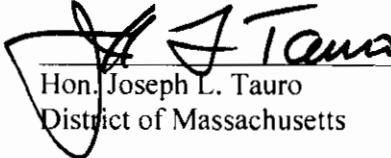


UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
vs.) **No. 09-CR-10148-JLT**
)
FREDERICK ALLEN and)
KIMBERLEE ALLEN,)
)
Defendants.)

ORDER

It is hereby ORDERED that the Defendants' Motion for Bond Pending Appeal, with supporting memoranda, (Doc. 55 and 56) is DENIED. The Defendants have failed to make a showing that they are not likely to flee or do not pose a danger the community if released, as required by 18 U.S.C. § 3143(b)(1)(A). Additionally, the Defendants have failed to raise an issue for appeal that raises a substantial question of law or fact, as required by 18 U.S.C. § 3143(b)(1)(B). The failure to give certain jury instructions proposed by the Defendants was not error because the jury instructions at issue were substantively covered in the charge given to the jury. Because the Defendants failed to make the showings required by 18 U.S.C. § 3143(b), their request for bond pending appeal is hereby DENIED.


Hon. Joseph L. Tauro
District of Massachusetts

10/8/10